

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 RICHARD MONTEMARANO,

10 Plaintiff,

11 v.

12 IMPINJ, INC., *et al.*,

13 Defendants.
14

No. C18-5704RSL

15 EMPLOYEES' RETIREMENT SYSTEM
16 OF THE CITY OF BATON ROUGE
17 AND PARISH OF EAST BATON
18 ROUGE,

19 Plaintiff,

20 v.

21 IMPINJ, INC., *et al.*

22 Defendants.
23

No. C18-1447RSL

ORDER APPOINTING LEAD
COUNSEL AND
CONSOLIDATING CASES

24 This matter comes before the Court on the motions filed by Foo Kwan and
25 Employees' Retirement System of the City of Baton Rouge and Parish of East Baton
26 Rouge ("Baton Rouge") for appointment as lead plaintiff, approval of the selection of
lead counsel, and consolidation of related actions. Defendants take no position on the

1 designation of lead plaintiff or lead counsel, but oppose the appointment of co-lead
2 plaintiffs or counsel. Having considered the memoranda, declarations, and exhibits
3 submitted by the parties,¹ the Court finds as follows:

4 (1) Pursuant to 15 U.S.C. §78u-4(a)(3)(A), Mr. Kwan and Baton Rouge filed
5 timely applications to be appointed lead plaintiff. One other potential class member
6 applied to be lead plaintiff, but subsequently withdrew the application.

7 (2) The Court finds that Baton Rouge, which has the largest financial interest in
8 the relief sought by the class, also satisfies the other requirements of 15 U.S.C. § 78u-
9 4(a)(3)(B)(iii)(I) and is the most adequate plaintiff to prosecute the asserted claims. Mr.
10 Kwan has not identified any reason to believe that Baton Rouge will not fairly represent
11 the interests of all absent class members. His request for appointment as co-lead plaintiff
12 is denied.

13 (3) Baton Rouge has selected the law firm of Bernstein Litowitz Berger &
14 Grossman LLP to be Lead Counsel and the law firm of Byrnes Keller Cromwell LLP to
15 act as Liaison Counsel. Lead plaintiff's selections are approved.

16 (4) Pursuant to Fed. R. Civ. P. 42(a), Montemarano v. Impinj, Inc., C18-5704RSL,
17 and Employees' Retirement System of the City of Baton Rouge and Parish of East Baton
18 Rouge v. Impinj, Inc., C18-1447RSL, are hereby consolidated. The consolidated action
19 shall be maintained under cause number C18-5740RSL. All future filings shall used the
20 following caption:

21
22
23
24
25
26 ¹ This matter can be decided on the papers submitted. Baton Rouge's request for
oral argument is therefore DENIED.

1 UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF WASHINGTON
3 AT SEATTLE

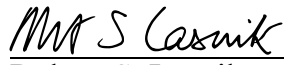
4 In re Impinj, Inc., Securities Litigation.

No. C18-5704RSL

5
6 (5) If an amended complaint is necessary to delineate the class period at issue in
7 the consolidated action, it shall be filed within fourteen days of the date of this Order.

8
9 For all of the foregoing reasons, Baton Rouge's motions for appointment as lead
10 plaintiff (Dkt. # 5 in C18-5704RSL and Dkt. # 10 in C18-1447RSL) are GRANTED and
11 Mr. Kwan's motion (Dkt. # 10 in C18-5704) is DENIED. The law firm of Bernstein
12 Litowitz Berger & Grossman LLP is hereby appointed as Lead Counsel and the law firm
13 of Byrnes Keller Cromwell LLP is hereby appointed as Liaison Counsel. The Clerk of
14 Court is directed to close C18-1447RSL.

15 Dated this 14th day of January, 2019.

16
17 
18 Robert S. Lasnik
United States District Judge